

REMARKS

In this specification, the first paragraph of page 1 has been amended to reflect that the parent application has issued as U.S. Patent No. 6,303,849.

Claims 8 and 20 remain in this application. Both Claims 8 and 20 are currently amended.

Objection under 35 U.S.C. 112

Claims 8 and 20 have been objected to under 35 U.S.C. 112.

Applicants submit that Claim 8 is directed to an oil seed, while Claim 20 is directed to a plant grown from the oil seed of Claim 8. Thus, applicants maintain that Claim 20 appropriately limits the subject matter of Claim 8.

Claim 20 has been amended to remove the phrase "having the physiological characteristics of such a plant." Applicants submit that this amendment addresses Examiner's concerns.

With respect to Examiner's allegation that Claims 8 and 20 do not comply with the enablement requirement, the undersigned attorney of record in this application states that the seeds were deposited under the terms of the Budapest Treaty, as required, and that the seeds will be irrevocably and without restriction or condition released to the public upon the issuance of a patent.

Removal of the rejection to Claims 8 and 20 under 35 U.S.C. 112 is requested.

Objection Under 35 U.S.C. 102 and 103

Examiner alleges that Claim 8 is anticipated by or obvious over Raney et al. and/or Woods et al. Applicants believe that the Examiner intended to direct his rejections toward Claim 20 rather than Claim 8.

Applicants have amended Claim 20 to remove the phrase "having the physiological characteristics of such a plant." Thus, Claim 20 is now directed to a plant grown from the oil seed J96D-2250 or J96D-0758. Neither Raney et al. nor Woods et al. teach or suggest plants of the line J96D-2250 or line J96D-0758. Thus, applicants submit that the subject matter of Claims 8 and 20 are novel and unobvious over Raney et al. and Woods et al.

It is respectfully submitted that the above-identified application is now in a condition for allowance and favorable reconsideration and prompt allowance of these claims are respectfully requested. Should the Examiner believe that anything further is desirable in order to place the application in better condition for allowance, the Examiner is invited to contact

the applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,



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